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Attorneys for the United States of America

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,)	IN EQUITY NO. C-125-ECR
)	Subproceeding: C-125-B
Plaintiff-Intervenor,)	
)	
vs.)	REQUEST FOR APPROVAL OF
)	FOURTEENTH REPORT OF THE
WALKER RIVER IRRIGATION DISTRICT,)	UNITED STATES OF AMERICA
a corporation, et al.,)	CONCERNING STATUS OF SERVICE
)	ON CERTAIN PERSONS AND
Defendants.)	ENTITIES
_____)	

The United States of America (“United States”), through undersigned counsel, requests this Court to approve and enter the attached Proposed *Order Concerning Fourteenth Report of the United States of America Concerning Status of Service on Certain Persons and Entities*.

The United States filed the *Fourteenth Report of the United States of America Concerning Status of Service on Certain Persons and Entities* (Docket # 1479) (“Fourteenth Service Report”) on December 31, 2008. The Fourteenth Service Report was served by e-filing on all parties to the case and all persons and entities addressed in the Fourteenth Service Report whose counsel are CM/ECF participants, and was also mailed to all persons and entities addressed in the Fourteenth Service Report who are not CM/ECF participants.

The Fourteenth Service Report reports the status of the United States' continuing efforts to effect service on persons and entities subject to service under the *Case Management Order* (Apr. 18, 2000) ("CMO"). As set forth in this and the other thirteen similar pleadings, the United States asks the Court to approve certain service efforts, to amend the caption related to this phase of service, to make corrections and additions, and, in some instances, to take no action at this point. As it has also done in its earlier service reports, the United States also asks in this pleading that "the parties . . . direct any comments or corrections regarding this report to the United States so that any corrections might be made promptly." Fourteenth Service Report at 2. No comments or corrections have been received, except from one attorney, as described below.

The parties' practice in addressing prior service reports has been to provide any comments to the United States prior to scheduled status conferences with the Magistrate Judge. As a general matter, throughout this process and to date, comments, corrections and/or questions were raised by one attorney for the Walker River Irrigation District (Mr. Ferguson) and/or the attorney for the United States Board of Water Commissioners (currently Ms. Peterson). The United States attempted to resolve these issues prior to the status conference and addressed any remaining comments and corrections during the status conference, following which the Magistrate Judge would approve the proposed Order. To date, the Court has signed all proposed Orders relating to the completion of service.

In December 2009, having received no comments on the Fourteenth Service Report from any party, undersigned counsel for the United States contacted both Mr. Ferguson and Ms. Peterson and asked them if they had any comments, corrections or questions on this report and related the United States' intent to file this request. Mr. Ferguson had no comments. Ms. Peterson had not yet reviewed the Fourteenth Service Report, but then did so and provided comment. Based on Ms. Peterson's comments, the following corrections are made to the Fourteenth Service Report:

1. Entry 19, p. 9: The address for Mr. Test, who is Ms. Bye's attorney is:

Hoffman, Test, Guinan & Collier
429 West Plumb Lane
Reno, NV 89509
775-322-4081 (phone)
775-322-3841 (fax)
twallace@htag.reno.nv.us

2. Entries 169-170, p. 56-57: The address for service at 170.d. should read "Cathleen M. and Dennis L. Scott" to reflect service on both individuals.

The United States requests that the Court approve the Fourteenth Service Report. Once the Fourteenth Service Report is finalized, a fifteenth service report, which focuses substantially on transfers of water rights and identifies persons and entities to be dismissed, will be filed. The United States is already at work completing a sixteenth report.

At the close of 2008, service by mail was substantially finished in this matter, as reflected in the Fourteenth Service Report. In 2009, the United States focused primarily on personal service, identifying rights that have been transferred and reviewing defendant files to identify rights for which service needed to redone. The fifteenth report focuses primarily on substitution of parties based on transfers of water rights for which service is already complete, and identifies a number of persons and entities for dismissal. During this review process, we identified some rights that were transferred before the original owner was served and served the new owners by mail and/or personal service, as appropriate. We also anticipate filing proofs of service for those persons and entities that did not waive service and had to be served personally.

In the last few months, the Walker River Paiute Tribe, with the assistance of new settlement counsel, has made renewed efforts to explore settlement with many of the key parties. Completion of service is necessary whether the claims in this case are settled or litigated.

WHEREFORE, for these and such additional reasons that may appear to the Court, the United States asks the Court to approve this Request and sign and enter the Proposed *Order Concerning Fourteenth Report of the United States of America Concerning Status of Service on Certain Persons and Entities*, which is included in Attachment 1.

Dated: February 24, 2010

Respectfully submitted,

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By: /s/ Susan L. Schneider

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of February 2010, I electronically filed the foregoing **Request for Approval of Fourteenth Report of the United States of America Concerning Status of Service on Certain Persons and Entities** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via their email addresses:

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and I further certify that I served a copy of the forgoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 24th day of February 2010:

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/s/ Yvonne M. Marsh, Paralegal Specialist